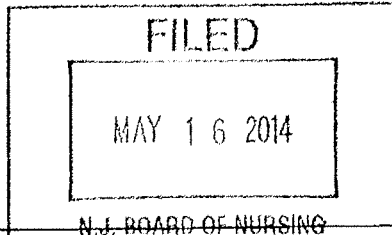
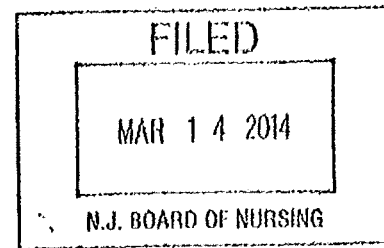


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

~~N.J. BOARD OF NURSING~~
~~IN THE MATTER OF THE SUSPENSION OR~~
~~REVOCATION OF THE CERTIFICATE OF~~

Renee Ellingsworth, C.H.H.A.
Certificate No.: 26NH14197200

TO PRACTICE AS A CERTIFIED
HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF DISCIPLINE

Finalized by Default on: 05/16/14

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Renee Ellingsworth, ("Respondent") is the holder of Homemaker Health Aid Certificate 26NH14197200 in the State of New Jersey. (See L2k printout, *Exhibit A*).

2. On August 2, 2013, the Board received a Flagging Notice stating that Respondent had been arrested on August 1, 2013, by the Pennsauken Township Police for Conspiracy Forgery (N.J.S.A. 2C:5-2) and Conspiracy Theft by Deception (N.J.S.A. 2C:5-2). Respondent was sent a letter on August 13, 2013, requesting information about her arrest and to provide the Board with a narrative of her version of the events. Respondent did not respond. To this day, Respondent had not responded to the August 13, 2013 letter and has not provided the Board with the necessary documentation. (See Flagging Notice, **Exhibit B**).

3. The Board received a complaint from Freedom Home Healthcare ("Freedom Home") in Mt. Laurel on or about September 19, 2013. Respondent was employed by Freedom Home to provide care to patients, including E.F., the victim. Freedom Home's complaint indicated that Respondent had been terminated from Freedom Home on August 1, 2013 because she had been arrested for stealing E.F.'s checks. Respondent had made the checks payable to herself and had forged E.F.'s signature. Respondent wrote "paycheck" on the memo area of the checks. The approximate amount cashed from the checks was \$4,000.00. (See complaint from Freedom Home, **Exhibit C**).

4. Respondent was arrested on October 2, 2013, by the Cherry Hill Township Police Department, for Fraud Use Credit Card (N.J.S.A. 2C:21-6H). E.F.'s family had filed a fraud report

alleging that Respondent had been using E.F.'s stolen credit card. The card had been used 29 times at Shoprite or Walmart, between December 23, 2012 and July 15, 2013. After a police investigation, the Cherry Hill Police obtaining a video recording showing Respondent making purchases at Walmart. Also, the police obtained credit card receipts from Walmart and Shop Rite. The Cherry Hill Police Department concluded that Respondent had been using the credit card to purchase goods, totaling \$5,700.00, for personal use and not for E.F.'s care. (See Cherry Hill Township Police Report and Cherry Hill Township Municipal Court Complaint, *Exhibit D*).

CONCLUSIONS OF LAW

Respondent's conduct, as described herein, constitutes preliminary grounds to take disciplinary action against Respondent's certification to practice as a certified homemaker-home health aide in New Jersey pursuant to N.J.S.A. 45:1-21(b), (e), and (f), in that Respondent has engaged in the use of dishonesty, fraud, deception, misrepresentation, false promise or false pretense, has engaged in professional or occupational misconduct, and has engaged in acts constituting a crime relating adversely to the activity regulated by the Board.

ACCORDINGLY, IT IS on this 14 day of March, 2014,

ORDERED that:

1. Renee Ellingsworth's certification to practice as a homemaker-home health aide is provisionally suspended for a minimum of five (5) years.

2. Respondent shall provisionally pay a penalty in the amount of \$1,200.00. Said penalty is an aggregate penalty, which includes a penalty in the amount of \$200 for failure to cooperate with a Board investigation and a penalty in the amount of \$1,000.00 for the theft of another's property. Penalty should be made via certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey, 07101. Payment shall be made no later than 15 days after notice of the entry of any Final Order is served in this matter, including any Order which is finalized by default. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Prior to Board consideration of any application of Respondent's certification to practice as a CHHA, respondent shall provide documentation showing full

compliance with the terms of any criminal sentencing that has resulted from the charges detailed above.

5. Prior to Board consideration of any request for reinstatement of her certification, Respondent shall appear before the Board to provide evidence of rehabilitation to the satisfaction of the Board, and to show competency to reenter practice as a homemaker-home health aide, including completion of a homemaker home health aide training course as described in Board regulations.

6. Respondent shall provisionally refrain from engaging in the practice of homemaker-home health aide and shall not represent herself as a certified homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

7. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within 30 days of the date this Provisional Order is filed by:

- a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, Board

of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore or offered in mitigation of penalty.

8. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

9. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such

proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

10. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By: _____

Patricia Murphy, PhD, APN

Patricia Murphy, PhD, APN
President